

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	ORDER OF
or Suspension of the Educator)	
)	SUMMARY SUSPENSION
Certificate of Steve Douglas Walling,)	
)	
Certificate 117808)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 11, 2007. In accordance with S.C. Code Ann. § 1-23-370(c) (2004), the South Carolina Department of Education (Department) requested that the State Board summarily suspend the educator certificate of Steve Douglas Walling, certificate 117808, as a result of his arrest in Barnwell County on November 19, 2007, on six counts of Committing a Lewd Act Upon a Child Under Sixteen, a Class D felony offense. The Department has reason to believe that, due to the serious nature of these allegations of misconduct, Mr. Walling may pose a threat to the health, safety, or welfare of students and others and that emergency action by the State Board is required. After considering the evidence presented by the Department, the State Board voted to summarily suspend Mr. Walling's certificate until a due process hearing is held and/or this matter is otherwise resolved. The Department is directed to serve notice on Mr. Walling of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Walling holds a professional South Carolina educator certificate and has over nine years of teaching experience. Mr. Walling has been employed by the Barnwell 45 School District (District) since 2004 and has been assigned to the position of a physical education teacher at Barnwell Elementary School. On November 19, 2007, Mr. Walling was arrested in Barnwell County and charged with six counts of Committing a Lewd Act Upon a Child Under Sixteen, a Class D Felony. The District has placed Mr. Walling on administrative leave from his teaching position at Barnwell Elementary School. The State Board finds that the serious nature of these allegations against Mr. Walling poses a threat to the health, safety and welfare of students and that emergency action is required to summarily suspend Mr. Walling's educator certificate.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, crime against the law of this State or the United States and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (1992). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license

may be ordered pending proceedings for revocation or other action." The State Board finds that there is reason to believe that Steve Douglas Walling may pose a threat to the welfare of students that may be under his instruction that requires emergency action by the State Board. Accordingly, the State Board summarily suspends Mr. Walling's educator certificate until a due process hearing is held and/or this matter is otherwise resolved.

South Carolina State Board of Education

By: 
John E. Tindal, Chair

Columbia, South Carolina

December 11, 2007